

U.S. PROBATION OFFICE
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE

PETITION FOR WARRANT FOR OFFENDER UNDER SUPERVISION

Name of Offender: Julia N. Mabry

Docket Number: 2:11-CR-46-007

Name of Sentencing Judicial Officer: The Honorable R. Leon Jordan
United States District Judge

Date of Original Sentence: November 17, 2011

Original Offense: Count 1: Conspiracy to Manufacture at Least 5 Grams, but Less than 50 Grams of Methamphetamine

Count 2: Conspiracy to Distribute and Possession with the Intent to Distribute a Quantity of Methamphetamine

Class: Count 1: B Felony
Count 2: C Felony

Criminal History Category: III

Original Sentence: 48 months imprisonment, to be followed by four (4) years supervised release

Type of Supervision: Supervised Release

Agreed Order of Revocation April 27, 2016: nine (9) months imprisonment, followed by two (2) years of supervised release

Agreed Order of Revocation October 12, 2017: 12 months imprisonment, followed by 12 months of supervised release

Date Supervision Commenced: September 7, 2018

Date Supervision Expires: September 6, 2019

Assistant U.S. Attorney: Thomas A. McCauley

Defense Attorney: Tim S. Moore

Revocation Guideline Range: 8-14 months

Statutory Maximum: 15 months

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PETITIONING THE COURT

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	General Condition: The defendant shall not commit another federal, state or local crime.
2	General Condition: The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance.
3	Standard Condition No. 2: The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.
4	Standard Condition No. 3: The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
5	Standard Condition No. 7: The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.
6	Standard Condition No. 8: The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
7	Standard Condition No. 9: The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

On September 7, 2018, Ms. Mabry began her third term of supervision. Due to this officer being in training, Ms. Mabry was instructed to report on September 13, 2018, for intake.

On September 13, 2018, Ms. Mabry reported as directed to the Greeneville Probation Office. Ms. Mabry was drug screened and tested presumptively positive for methamphetamine. She admitted to using the morning of her release from Midway Halfway House. Ms. Mabry was referred to Families

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Free for Mental Health and Substance Abuse Treatment. Additionally, Ms. Mabry was placed on the Code-A-Phone referral system at an increased drug screen rate.

On September 20, 2018, Ms. Mabry failed to report for random drug testing via the Code-A-Phone referral system. On September 28, 2018, this officer contacted Ms. Mabry and instructed her to report on October 1, 2018, at 9:00 a.m., to the Greeneville Probation Office. Ms. Mabry failed to report as directed. This officer contacted the offender regarding her failure to report and Ms. Mabry stated she went to the drug screen vendor in Johnson City, and the vendor told her she was not approved. Ms. Mabry did not attempt to contact this officer to report she was having a problem. This officer reminded Ms. Mabry she was instructed to report to the office, not to the drug screen vendor. Ms. Mabry argued about reporting to the office, stating that her previous probation officer let her report to the vendor when she missed a drug screen. This officer suspected Ms. Mabry was trying to get out of reporting for a drug test. She was instructed to report to the Greeneville Probation Office. Ms. Mabry then stated she did not have a ride to the office.

It should be noted Ms. Mabry has a car, money saved from working while in the halfway house, and a job at Burger King. Ms. Mabry has physical and financial means to report for drug testing. Ms. Mabry failed to report as directed.

On October 2, 2018, this officer contacted Judy Clark, a therapist at Families Free, regarding Ms. Mabry's assessment. Upon her probation intake, Ms. Mabry was instructed to contact Families Free. The offender reported twice to Families Free, but was late both times; consequently, they were unable to complete a full intake due to her tardiness. She last reported to Families Free on September 24, 2018, and was told to participate in a full intake, and that she would need to schedule another appointment. That facility did not hear from Ms. Mabry again until October 9, 2018, when she called requesting help.

On October 10, 2018, this officer contacted Judy Clark, a therapist at Families Free, regarding the offender's progress. The offender reported for intake that date and Families Free recommended she complete an inpatient treatment program.

On October 12, 2018, this officer was advised by Families Free they had located bed space for the offender at Teen Challenge and she was scheduled to report that date to start the intake process: however, the offender failed to report.

PROB12C(REVOKE) - 12/2006

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This officer was informed by Ms. Clark, at Families Free, on October 10, 2018, that the offender reported to them that she is homeless and currently living in her car. The offender's whereabouts are unknown at this time.

Assessment of Flight/Danger and Bond Recommendation: Based on Ms. Mabry's conduct while under supervision, including use of illegal substances; failure to report for drug testing; and her failure to schedule a mental health and substance abuse assessment, she appears to present a danger to the community and a risk of flight. There is no condition nor set of conditions that may mitigate this risk. Therefore, this officer respectfully recommends she be detained pending a revocation hearing.

Petitioning the Court to order:

That a warrant be issued and the defendant be ordered to appear in Court for a hearing to determine whether the term of supervision should be revoked.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 18, 2018.

Respectfully submitted,

Heather R Williams
Heather R. Williams
United States Probation Officer

APPROVED:

C. Dan Thornton Jr. Charles D. Thornton
2018.10.18 09:27:03 -04'00'

C. Dan Thornton Jr. Date
Assistant Deputy Chief United States Probation Officer

HRW:tbw

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ORDER OF COURT:

A warrant is to be issued and the defendant is ordered to appear in Court for a hearing to determine whether the term of supervision should be revoked. This petition is to be placed under seal until the defendant has been arrested or appears in Court.

So ordered.

ENTER. *10-22-18*


The Honorable R. Leon Jordan
United States District Judge